

REMARKS

Claims 19-39 are currently pending. Applicant respectfully directs the Examiner's attention to the preliminary amendment filed simultaneously with the filing of the current application on October 20, 2003. The preliminary amendment canceled claims 1-18, added claims 38 and 39, and amended claims 19, 21, 25, 26, 30-32, 36 and 37 to incorporate the claim language from canceled claims 1 and 8. Applicants further note that claims 37-39 were not included in any of the groups of inventions listed in the Office Action dated September 26, 2006. However, in order to further prosecution of the present application, Applicants believe that if the Office had considered the preliminary amendment, the claims would have been grouped into the following allegedly patentably distinct groups:

Group I: claims 1-7 (canceled via preliminary amendment)

Group II: claims 8-18 (canceled via preliminary amendment)

Group III: claims 19, 20, 38 and 39

Group IV: claims 21-29 and 36

Group V: claims 30-35

Finally, by the present communication, Applicants have added claim 40. Support for the added claim may be found at page 22, line 5 to page 23, line 8 of the specification as filed. Thus, no new matter has been added with the Amendments, being fully supported by the specification and claims as originally filed. Accordingly, upon entry of this communication, claims 19-40 will be pending.

Applicants respectfully traverse the restriction requirement dated September 26, 2006 for the reasons provided below. However, in order to be fully responsive to the Office Communication, Applicant elects **Group III**, drawn to **antibodies that bind fibroblast growth factor homologous factor**.

Applicants respectfully traverse the restriction on the grounds that it would not pose an undue burden to examine the claims of Groups III-V together. Briefly, a search of antibodies that bind fibroblast growth factor homologous factor, would reveal art relevant to both Groups

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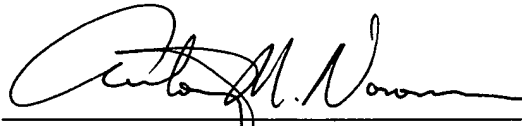
IV and V since the methods encompassed by those groups include use of the antibodies of Group III. Because a search of the claims for elected Group III would encompass a search of non-elected Groups IV and V, Applicant submits that an initial search and examination of Groups III-V together would not pose a serious burden to the Examiner. Conversely, the division of prosecution into three separate examinations will necessitate a largely duplicative effort by the U.S. Patent and Trademark Office that does not serve the overriding goal of economical use of resources. Accordingly, reconsideration and rejoinder of Groups III-V is respectfully requested.

The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

Check number 583982 in the amount of \$120.00 is enclosed for the requisite One-Month Extension of Time fee. No other fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that are required, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

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